

## NOTICE OF EMERGENCY RULE REPEAL AND PROMULGATION

AGENCY: Department of Marine Resources

STATUTORY AUTHORITY: 12 M.R.S.A. Sections 6172 and 6192

**RULE PROMULGATION:** DMR Regulation 96.03, Closed Area No. 64-B, Moose Cove, Trescott, to the Canadian Border, promulgated on September 30, 2003, is repealed and replaced with the following:

**TEXT OF RULE:** DMR Regulation 96.03, Closed Area No. 64-B, Moose Cove, Trescott, to the Canadian Border.

1. Effective immediately, because of contamination (Paralytic Shellfish Poison), it shall be unlawful to dig, take or possess any species of clams, ocean quahogs, *Arctica islandica*, or carnivorous snails from the shores, flats and territorial waters inside and easterly of a line drawn from the most southwesterly point in Moose Cove, Trescott, south to the U.S. Canadian Border.

A. Except that soft shell clams (*Mya arenaria*) can be harvested in the above described area.

All DMR Regulations concerning closures of shellfish due to bacterial pollution are not affected by this emergency rule and will remain in full force and effect.

EFFECTIVE DATE: October 16, 2003

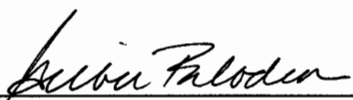
AGENCY CONTACT PERSON: Amy Fitzpatrick  
Department of Marine Resources  
McKown Point Road  
West Boothbay Harbor, ME 04575

BANGOR DAILY NEWS  
October 20, 2003

### STATEMENT OF FACT AND POLICY

The Commissioner of the Maine Department of Marine Resources repeals the emergency DMR Regulation 96.03, Closed Area No. 64-B, Moose Cove, Trescott to the Canadian border, promulgated on September 30, 2003, and replaces it with a new rule permitting the harvest of soft shell clams in the area described above. This area remains closed to the harvest of ocean quahogs (*Arctica islandica*) and carnivorous snails.

Department personnel have sampled the area and have determined that soft shell clams in this area no longer contain dangerous levels of Paralytic Shellfish Poison and no longer pose a threat to public health.

  
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GILBERT M. BILODEAU  
ADMINISTRATIVE OFFICER FOR GEORGE D. LAPOINTE,  
COMMISSIONER AS AUTHORIZED BY 12 MRSA SECTION  
6023

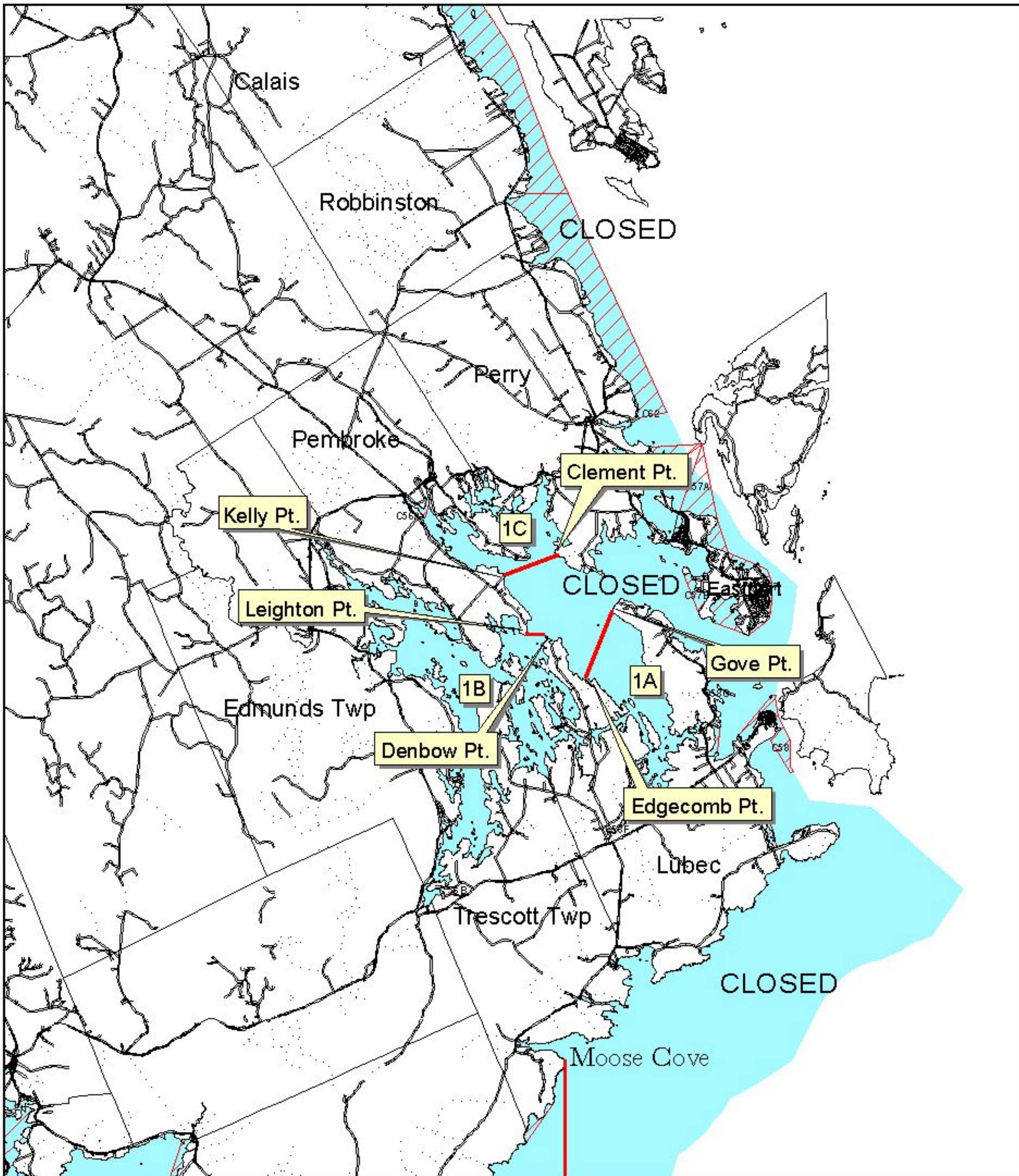




# Maine Department of Marine Resources

Legal Notice of Shellfish Closure Area

**64B - Moose Cove, Trescott to the Canadian border 9/30/03**



4 0 4 8 Miles